

STATE OF FLORIDA COMMENTS ON PROPOSED RULE TO IMPLEMENT 44 CFR, SECTION 206
Disaster Assistance; Federal Assistance to Individuals and Households

206.101 (k) Flood Disaster Protection Act requirement

- (2) The individuals/households devastated by a major disaster should not be denied assistance because their community does not participate in the NFIP.
- (3) The current GFIP process should be maintained, providing 3 years of flood insurance to victims initially. The victims most often impacted are those who can least afford to purchase insurance.

206.108 Housing Assistance

- (b)(ii) Direct Assistance - From the Federal Register (1/23/02): "Previous version of 42 USC 5174(a)(4) dictated that the costs of site construction and development would be cost shared between FEMA and the State or local government, but the new version does not retain this cost sharing provision." It then goes on to say that FEMA may fund the entire costs of site construction and development in the future but only where they determine that it is necessary for the Federal government to assume this responsibility. If the State chooses Option 1 in the MOU, FEMA should handle 100% of Housing.
- (2) Repairs (iv) This paragraph needs to be clarified. "Victims may receive up to \$5,000 for repairs without first having to show that assistance can be met through other means....." Does this mean before applying for a SBA loan? If denied a SBA loan, can they obtain additional assistance from FEMA for repairs, up to the maximum amount of \$25,000, under either Housing Assistance or Other Needs?
- (3) Replacement of a primary residence should not be capped at \$10,000., if the Replacement option is already included in the maximum amount of assistance of up to \$25,000. If a home is destroyed and it can be replaced for under \$25,000 it would still be more cost effective than having FEMA bringing in temporary housing units, providing set-up, maintenance, security, etc. for up to 18 months.
- (4) Permanent Housing Construction should not be restrictive by referring to "insular areas outside the continental US or other remote locations" when affordable housing shortages exist in many states within the continental US. This could be an opportunity to put victims of sub-standard housing into better housing and incorporate mitigation measures to protect against future losses and damages at the same time. There are currently several new types of permanent housing available which meet local building codes and can be constructed for less than \$20 per sq. ft. If permanent housing can be shown to be more cost-effective than bringing in temporary housing units, particularly after a catastrophic disaster, then it should be an option, regardless the location's remoteness.

STATE OF FLORIDA COMMENTS ON DRAFT MOU

Page 1, (c) General – By the last quarter of the calendar year FEMA may provide the State with MOU for revisions. The State has a specific date (December 1st) to return the signed MOU, therefore FEMA should also have a specific date to provide it to the State, i.e., September 30th or October 1st.

Page 7 (A) Option 1 – Last sentence should be revised to "The State may provide group sites if necessary in accordance with the Section 408 of the Stafford Act." The Proposed Rule does not state the State "is required" to provide group sites. 206.108 (ii) Direct Assistance (E) indicates Group sites may be provided by State, local governments or by FEMA.

Page 7 (B) Option 2 – Same comment as above.

STATE OF FLORIDA COMMENTS ON DRAFT MOU SUPPORT GUIDE

Page 2 – 4, (9) Functional Element 5 – State and FEMA coordinate group site development as a joint effort, however, Attachment A shows Functional Element 5 as the State's Role under Option 1. It should be listed as a "Shared Function."

Page 3 – 6, (h) Functional Element 8 – state "Preparation of the closeout package is the responsibility of FEMA in Options 1 and 2," however, Attachment B shows this under the State's Role for both Options 1 and 2.

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